

**CITY OF GUNNISON  
COLORADO**

<b>IN THE MATTER OF THE APPLICATION</b>	)	
<b>FOR A HOTEL &amp; RESTAURANT LIQUOR</b>	)	
<b>LICENSE FOR YARD BIRD KLC, LLC</b>	)	<b>FINDINGS AND DECISION</b>
<b>dba YARD BIRD</b>	)	
<b>107 SOUTH 12<sup>TH</sup> STREET, GUNNISON, CO 81230</b>	)	

**TO THE APPLICANT NAMED ABOVE AND ALL OTHER INTERESTED PARTIES:**

Pursuant to Section 12-47-312, C.R.S., you are hereby advised based upon the application for a Hotel & Restaurant Liquor License, the investigation conducted by the City of Gunnison, as the local licensing authority, and the evidence submitted at the public hearing, the application of Yard Bird KLC, LLC, 107 South 12<sup>th</sup> Street, Gunnison, CO, for a Hotel & Restaurant Liquor License, is approved for the following reasons and with the following conditions:

- (1) There has not been a denial of an application at the same location, or a location within 500 feet thereof, by either the State or the Local Liquor Licensing Authority of the City of Gunnison within the two years preceding the date of the application on the grounds that the reasonable requirements of the neighborhood were satisfied by the existing outlets.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the license is proposed to be exercised.
- (3) Selling Malt, Vinous and Spirituous Liquor by the drink for on-premises consumption, as proposed in the application is not in violation of the zoning, fire and other applicable codes of the City of Gunnison or the laws of the State of Colorado.
- (4) The building where the application proposes to sell malt, vinous and spirituous liquor by the drink does not appear to be within 500 feet of any public or a parochial school or the principal campus of any college, university or seminary.

- (5) Within the City Limits where liquor is proposed to be sold, there are the following existing other outlets:
- 6 - 3.2% Beer Type Licenses
  - 1 - Arts License
  - 4 - Beer & Wine Licenses
  - 1 - Brew Pub License
  - 1 - Club License
  - 12 – Hotel & Restaurant Licenses
  - 5 - Retail Liquor Store Licenses
  - 7- Tavern Licenses
- (6) Based on the petitions of adult inhabitants of the City of Gunnison, the license applied for will meet the desires of the adult inhabitants of the City of Gunnison.
- (7) According to the information required by the State of Colorado Liquor Division and after testimony at the public hearing, the applicant is of good moral character and possesses the qualifications necessary to conduct the type of business proposed.
- (8) All fees necessary for the application have been paid.

Dated this 16<sup>th</sup> day of February 2016.

LIQUOR LICENSING AUTHORITY  
CITY OF GUNNISON

/s/ Tara Kindall  
Tara Kindall, Deputy City Clerk

/s/ Melissa McLeod  
Melissa McLeod, Court Clerk  
City of Gunnison  
201 W. Virginia Avenue  
Gunnison, CO 81230

**CERTIFICATE OF DELIVERY**

I hereby certify that I have mailed via USPS certified mail, the foregoing "**FINDINGS & DECISION**" on February 17, 2016, to the following address:

Yard Bird KLC, LLC  
107 South 12<sup>th</sup> Street  
Gunnison, CO 81230

/s/ Tara Kindall  
Tara Kindall, Deputy City Clerk